

REMARKS

This Paper is submitted in response to the final Office Action mailed March 1, 2006. This Paper is filed within two months of the Office Action mail date, namely May 1, 2006. The Commissioner is hereby authorized to charge any additional fees to Deposit Account number 02-1818.

Claims 1-2, 4-13, 15-16, 18-20, 22, 24-26, and 28-37 are currently pending in this application. Claims 3, 14, 17, 21, 23, and 27 have been canceled. Claims 1, 20, 34, and 36 have been amended to more clearly articulate the claimed subject matter. Applicants respectfully request that this Paper be entered as 1) it places the claims in a condition for allowance and 2) requires only a cursory review by the Examiner.

Claims 1-2, 4-13, 15-16, 18-22, 24-26, and 28-37 were rejected under 35 U.S.C. § 103(a) for allegedly being obvious over U.S. Patent No. 5,356,709 to Woo et al. (*Woo*) in view of U.S. Patent No. 5,849,843 to Laurin et al. (*Laurin*). Claim 3 was rejected under 35 U.S.C. § 103(a) for allegedly being obvious over *Woo* in view of *Laurin* in further view of U.S. Patent No. 6,127,009 to Strassmann (*Strassmann*). Applicants respectfully disagree with and traverse these alleged rejections for the reasons set forth below.

Woo and *Laurin*, either alone or in combination, fail to teach or suggest a multiple layer non-PVC tubing having an outermost layer of a four-component blend or a five-component blend as recited in independent claims 1 and 20 respectively. *Woo* discloses a multiple layer tubing having three layers—an outer layer 12, a tie layer 14, and a core layer 16. *Woo*'s outer layer contains only two components (PP copolymer blended with SEBS copolymer). *Woo*, col. 3 lines 1-9, Figure 1. *Woo*'s two component outer layer fails to disclose or suggest a four/five component outer layer as recited in the present claims.

Laurin has no disclosure whatsoever directed to a multiple layer tubing—let alone a tubing with an outermost layer having a four/five-component blend as recited in the present claims. Indeed, any motivation to combine the teachings of *Woo* and *Laurin* would merely lead the skilled artisan to modify *Woo*'s tie layer as the Examiner has stated in the Office Action dated March 1, 2006. Thus, no combination of *Woo* and *Laurin* discloses or remotely suggests a multiple layer tubing with an outermost layer having a four/five-component blend as recited in claims 1 and 20.

Claim 3 has been canceled rendering moot the alleged rejection based on *Strassmann*.

CONCLUSION

In view of the foregoing remarks, Applicants submit that claims 1-2, 4-13, 15-16, 18-22, 24-26, and 28-37 are in a condition for allowance and respectfully request a notice of the same.

Respectfully submitted,

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